Rec'd PCT/PTO 4 APR 2005 APR 2

Practitioner's Docket No. 531-017.007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TO APR -4 AT 11: 58

In re application of:					
Application No.: 10/521,395 Filed: 1/14/2005	Group No. Examiner:				
For: Process and Apparatus for Pr	oducing Calcium Carbonate via an				
Enzymatic Pathway ————————————————————————————————————	Issued:				
*NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.					
Mail Stop 16 Director of the U.S. Patent and Trader P.O. Box 1450 Alexandria, VA 22213-1450	mark Office				
Alexandria, VA 22313-1450					
<i>D</i> = 0:	T FOR REFUND				
244Z (37 C.)	F.R. § 1.28(a))	• • • • • • • • • • • • • • • • • • • •			
2633					
CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10* (When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)					
I hereby certify that, on the date shown below, this	is correspondence is being:				
MAILING					
deposited with the United States Postal Service and Trademark Office, P.O. Box 1450, Alexand	e in an envelope addressed to the Director of the U.S. Padria, VA 22313-1450	tent			
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150.00 OP 200.00 OP 100.00 OP NOTE: 37 C.F.R. § 1.28(a): "(a) Refunds based on later establishment of small entity status. A refund pursuant to § 1.26, based on establishment of small entity status, of a portion of fees timely paid in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for a refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under § 1.136. Status as a small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."

NOTE: Submission of a Change of Status (small/not small entity status) after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111–112, June 26, 2001.

WARNING: A request for a refund Submissions after a Notice of Allowance may subject an application to a reduction in patent term adjustment under 37 C.F.R. 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

NOTE: 37 C.F.R. § 1.26 Refunds

(a) The Commissioner may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent or trademark filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts. If a party paying a fee or requesting a refund does not provide the banking information necessary for making refunds by electronic funds transfer (31 U.S.C. 3332 and 31 CFR part 208), or instruct the Office tha refunds are to be credited to a deposit account, the Commissioner may require such information, or use the banking information on the payment instrument to make a refund. Any refund of a fee paid by credit card will be by a credit to the credit card account to which the fee was charged.

(b) Any request for refund must be filed within two years from the date the fee was paid, except as otherwise provided in this paragraph or in § 1.28(a). If the Office charges a deposit account by an amount other than an amount specifically indicated in an authorization (§ 1.25(b)), any request for refund based upon such charge must be filed within two years from the date of the deposit account statement indicating such charge, and include a copy of that deposit account statement. The time periods set forth in this paragraph are not extendable.

I. SUBMISSION OF SMALL ENTITY ASSERTION

(complete (a) or (b))

(a)	KX	Attached is an assertion of small entity status in this application.
(b)		An assertion of small entity status was filed in this application or

II. REFUND REQUEST

NOTE: 37 C.F.R. § 1.28(b)(1): "(b) Date of payment. (1) The three-month period for requesting a refund, pursuant to paragraph (a) of this section, starts on the date that a full fee has been paid. . ."

This request for refund is made within three months of the date the full fee was paid in this application on <u>January 14, 2005</u>, in the amount of \$1,000.00

NOTE: If the fee was changed to a deposit account, a request for refund must be filed within two months of the date of the charge to the deposit account.

(Request for Refund [7-9]—page 2 of 4)

III. FEE PAID FOR WHICH REFUND REQUESTED

		REFUND REQUESTED		
-22	<i>c</i>	s 500.00		
	Filing fee Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. § 1.16(e) or 37 C.F.R. § 1.16(l)).	\$		
	or			
	Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	\$		
	Surcharge for filing the basic filing fee on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l))	\$		
	or	,		
	Surcharge for filing the cover sheet on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l))	\$		
	Extension of term	\$		
	Issue fee	\$		
	Patent maintenance fee			
	☐ first maintenance fee	\$		
	second maintenance fee	\$		
	☐ third maintenance fee	\$		
	Patent maintenance fee surcharge.			
NOTE: T	the refund provisions of § 1.28(a), for later submitted small entity statemes. Notice of July 30, 1984, 1046 O.G. 28-37.	nents, apply to maintenance		
	Other	\$		
	TOTAL REFUND REQUESTED	\$ 500.00		
IV. MA	NNER OF REFUND			
Please	make refund by:			
	Crediting Deposit Account No.			
WARNING	3: Credit card information should not be included on this form as it n	nay become public.		
Ø	Sending refund check to approximate practitioner			
	By electronic funds transfer using the banking informinstrument.	nation on the paymen		

(Request for Refund [7-9]—page 3 of 4)

AMOUNT OF

Reg. No.: 31,391

Tel. No.: (203) 261-1234

Customer No.: 004955

Signature of Practitioner

Francis J. Maguire

(type or print name of practitioner)

Ware, Fressola, Van Der Sluys & Adophson, LLP

P.O. Address

755 Main Street, Building 5

Monroe, CT 06468

(Request for Refund [7-9]-page 4 of 4)

Refund Ref: 06/01/2005 RWHITE1 0000144996

CHECK Refund Total: \$550.69

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M THE UNITED STATES PATENT AND TRADEMARK OFFICE IN THE STATES PATENT OF PRODUCING CALCIUM CATHONIAL VIA an Enzymatic Pathway In the application of 521,395 In the state of 1/14/2005 In the st	pest Available	PATENT
Application No: 10 / 72-FF Application No: 10 / 72-FF Application No: 10 / 72-FF Application No: 15-FF Application No F STATUS AS SMALL ENTITY WRITTEN ASSERTION OF STATUS AS SMALL ENTITY This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 37 C.F.R. § 1.27(c)(1) This is a written assertion of small entity status in accordance with 1.27(c)(1) This is a written assertion of small entity status in accordance with 1.27(c)(1) This is a written assertion of small entity status in accordance with 1.27(c)(1) This is a written assertion of small entity status in accordance with 1.27(c)(1) This is a written assertion to status in accordance with 1.27(c)(1) This is a written assertion to sta	- 007	· OFFICE
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